

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Esther Salas
:
v. : Crim. No. 24- 189
:
GEORGE VOLPE : 18 U.S.C. § 1343

I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:
 - a. George Volpe (“Volpe”), the defendant, was one of the owners and managing members of Penta International Corporation d/b/a Penta Manufacturing Company (“Penta”).
 - b. Penta was a fragrance and chemical manufacturing company headquartered in Livingston and West Caldwell, New Jersey.
 - c. The United States Department of Homeland Security, Customs & Border Protection (“U.S. Customs”) was a federal agency of the United States.
 - d. Under 19 U.S.C. § 1484, a party qualifying as an “importer of record” was required to use reasonable care in making entry of imported goods, which included arranging for the examination and the release of goods. In order for the goods to be released, the importer of record had to file documents necessary to determine: (a) whether the goods could be released from the custody of U.S. Customs; and (b) the proper assessment of customs duties on the goods.

e. U.S. Customs further required importers of record to complete an entry summary form that listed the value of imported goods, and which was used to determine the duty owed on such goods.

The Scheme to Defraud

2. From at least as early as in or around January 2016 through in or around August 2021, in the District of New Jersey and elsewhere, the defendant,

GEORGE VOLPE,

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud U.S. Customs and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such a scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire, radio, and television communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds.

Goal of the Scheme to Defraud

3. The goal of the scheme was for Volpe and others, through Penta, to enrich themselves by causing the submission of fraudulent invoices and import forms to U.S. Customs by mislabeling chemicals, and the value of those chemicals, entering the United States from China, resulting in the underpayment of U.S. Customs duties owed.

Manner and Means of Scheme to Defraud

4. It was part of the scheme that:

a. From in or around January 2016 through in or around August 2021, Penta purchased various chemicals from a supplier located in China. Volpe, as

a managing member and owner of Penta, caused or attempted to cause the mislabeling of the chemicals entering the United States from China.

b. While located in New Jersey, Volpe knowingly sent emails to a supplier in China requesting a list of various chemicals for importation. The emails requested that a list of various chemicals be shipped from China to Penta in New Jersey under the mislabeled chemical name of “Anise Oil.” Anise Oil is a nonhazardous essential oil. None of the requested chemicals were Anise Oil. Several of the requested chemicals were hazardous.

c. Volpe caused falsified documents, including invoices and U.S. Customs import forms, to be submitted from Penta’s New York based broker to U.S. Customs located in Elizabeth, New Jersey, which documents claimed that Penta was importing Anise Oil, when in reality, it was importing different, and at times hazardous, chemicals.

d. For example, on or about June 21, 2021, Volpe sent an email, on behalf of Penta, to a supplier in China requesting 15 different chemicals to be shipped from China to New Jersey and to be mislabeled as Anise Oil. As a result, fraudulent invoices and import forms were submitted to the U.S. Customs for 335 drums of Anise Oil. On or about August 26, 2021, a container arrived from Shanghai China to U.S. Customs at Elizabeth, New Jersey. The container was destined for Penta in Livingston, New Jersey. The drums were labeled as Anise Oil. Notwithstanding their mislabeling, the drums contained chemicals other than Anise Oil.

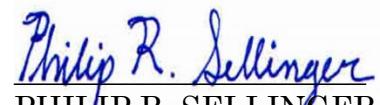
e. Volpe caused the mislabeled hazardous and nonhazardous chemicals to enter the United States through U.S. Customs and as a result, caused Penta to underpay significant customs duties totaling approximately \$1,400,000.

5. On or about June 21, 2021, in the District of New Jersey, and elsewhere, the defendant,

GEORGE VOLPE,

did knowingly and intentionally transmit and cause to be transmitted by means of wire, radio, and television communications in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds, namely an email on behalf of Penta to a supplier in China requesting fifteen different chemicals to be shipped from China to New Jersey and mislabeled as Anise Oil.

In violation of Title 18, United States Code, Section 1343.



Philip R. Sellinger
PHILIP R. SELLINGER
United States Attorney

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INFORMATION FOR

18 U.S.C. § 1343

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